IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 16076 of 2004

Between:

E.Kanaka Raju S/o.E.Kistaiah
R/o.E.165 A Colony Ramagundam, Karimnagar District.

..... PETITIONER

AND

1 The Chief Engineer (O&M) A.P.Power Generation Corporation Ltd.,
Ramagundam Thermal Power Station Ramagumdam, Karimnagar District.
2 Chairman and Managing Director A.P.Power Generation Corporation Ltd.,
Vidyuth Soudha Somajiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in not disposing of the appeal dt.18.8.2004 filed by the petitioner aggrieved by the letter No.CE/O&M/RTS/Admn/U2/F.19/D.No.559/2004 dated 17.8.2004 issued by the 1st respondent rejecting the case of the petitioner for appointment on compassionate ground as arbitrary, illegal and violative of Article 14,16 and 21 of the constitution of India consequently direct the 2nd respondent to dispose of the appeal dt.18.8.2004.

Counsel for the Petitioner: MR.G.CHANDRAIAH

Counsel for the Respondents: SMT.K.SESHARAJYAM

The Court at the admission stage made the following:

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ORDER:

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The petitioner claims that he is the son of an employee of the respondents Corporation. His father retired from service on medical invalidation through the proceedings dated 19.08.2002. Subsequent to the retirement of his father, the petitioner submitted a representation on 28.08.2002 to the General Manager of the respondents Corporation, requesting for appointment on compassionate grounds, duly recommended by the Assistant Divisional Engineer to the Superintendent Engineer, Ramagundam. The 1st respondent passed an order on 17.08.2004, rejecting the request of the petitioner for compassionate appointment by referring G.O.Ms.No.202 GA (Ser-A) Department, dated 27.01.2002, G.O.Ms.No.203
(Ser-A) Department, dated 27.04.2002 and G.O.Ms.No.305 GA (Ser-A) Department, dated 17.07.2002.

2. Against the said rejection order, the petitioner preferred an appeal to the 2nd respondent on 18.08.2004, reiterating his request for compassionate appointment on account of the retirement of his father on medical invalidation. The grievance of the petitioner is that the 2nd respondent did not pass any orders on his appeal. Therefore, the petitioner approached this Court, seeking a direction to the 2nd respondent to pass appropriate orders on his appeal.

3. In the light of the circumstances explained by the petitioner, the
2nd respondent is directed to pass appropriate orders in the appeal preferred by the petitioner on 18.08.2004, according to the existing rules, within two months from the date of receipt of a copy of this order, and communicate the same to the petitioner.

4. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Chief Engineer (O&M)

A.P.Power Generation Corporation Limited,

Ramagundam Thermal Power Station,

Ramagundam, Karimnagar District

2. The Chairmand & Managing Director,

A.P.Power Generation Corporation Ltd.,

Vidyuth Soudha, Somajiguda, Hyderabad

3. Two CD copies.